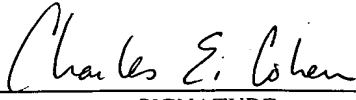



<input type="checkbox"/> FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER <b>X-15987</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/567639</div>	
INTERNATIONAL APPLICATION NO. <b>PCT/US2004/022313</b>	INTERNATIONAL FILING DATE <b>09 August 2004 (09.08.2004)</b>	PRIORITY DATE CLAIMED <b>22 August 2003 (22.08.2003)</b>	
TITLE OF INVENTION: <b>PYRIDINYLMORPHOLINE DERIVATIVES</b>			
APPLICANT(S) FOR DO/EO/US: <b>Barry Peter Clark and Peter Thaddeus Gallagher</b>			
Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:			
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             The US has been elected (Article 31).           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             A copy of the International Application as filed (35 U.S.C. 371(c)(2))           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>a. is transmitted herewith (required only if not transmitted by the International Bureau).</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>b. has been transmitted by the International Bureau.</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>c. is not required, as the application was filed in the United States Receiving Office (RO/US).</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             A translation of the International Application into English (35 U.S.C. 371(c)(2)).           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>a. are transmitted herewith (required only if not transmitted by the International Bureau).</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>b. have been transmitted by the International Bureau.</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>c. have not been made; however, the time limit for making such amendments has NOT expired.</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>d. have not been made and will not be made.</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form.           </div> </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).           </div> </div>		
<b>Items 12. to 18. below concern document(s) or information included:</b>			
12.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             An Information Disclosure Statement under 37 CFR 1.97 and 1.98.           </div> </div> <div style="display: flex; align-items: center; margin-left: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             Search Report/Written Opinion (ISA/EP)           </div> </div>		
13.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.           </div> </div>		
14.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             Assignment has been recorded at reel _____, frame _____.           </div> </div>		
15.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             A FIRST preliminary amendment.           </div> </div> <div style="display: flex; align-items: center; margin-left: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             A SECOND or SUBSEQUENT preliminary amendment.           </div> </div>		
16.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input type="checkbox"/> </div> <div>             A Sequence Listing, 1.821 Statement, and diskette.           </div> </div>		
17.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             A power of attorney with 3.73(b) Certificate.           </div> </div>		
18.	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin-right: 5px; text-align: center; line-height: 20px;"> <input checked="" type="checkbox"/> </div> <div>             Other items or information:           </div> </div> <p style="margin-left: 40px;">             Please amend the first page of the specification by inserting the following cross-reference after the title:  <b>"This is the national phase application, under 35 USC 371, for PCT/US2004/022313, filed 09 August 2004, which claims the benefit, of GB 0319693.6, filed 22 August 2003, and US provisional application 60/514,748, filed 27 October 2003."</b> </p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.59) <b>10/567639</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2004/022313</b>		ATTORNEY'S DOCKET NUMBER <b>X-15987</b>	
19.	<input checked="" type="checkbox"/>	The following fees are submitted:		<b>CALCULATIONS PTO USE ONLY</b>	
(a)	Basic national fee (37 CFR 1.492(a)).....		\$300.00	<b>\$ 300.00</b>	
(b)	Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... All other situations.....		\$0 \$200	<b>\$ 200.00</b>	
(c)	Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....  Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....  International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... All other situations.....		\$0 \$100 \$400 \$500	<b>\$ 400.00</b>	
<b>TOTAL AMOUNT (a + b + c) =</b>				<b>\$ 900.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		15 -20=	0	X \$50.00	\$
Independent claims		1 -3=	0	X \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				<b>\$ 900.00</b>	
Processing fee of <b>\$130.00</b> for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 900.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 900.00</b>	
				Amount to be refunded	\$
				charged	\$
a.		A check in the amount of \$_____ to cover the above fees is enclosed.			
b.	<input checked="" type="checkbox"/>	Please charge my Deposit Account No. 05-0840 in the amount of <b>\$900.00</b> to cover the above fees. A duplicate copy of this sheet is enclosed.			
c.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.			
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: ELI LILLY AND COMPANY PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, INDIANA 46206-6288  <u>08 February 2006</u> DATE <u>34,565</u> REGISTRATION NUMBER			 SIGNATURE  <u>Charles E. Cohen</u> TELEPHONE NUMBER <u>317-433-4983</u>		 <b>25885</b> PATENT TRADEMARK OFFICE

10/567639

IAP20 Rec'd PCT/PTO 08 FEB 2006

IN THE UNITED STATES RECEIVING OFFICE (USRO)

Applicants: **Barry Peter Clark**

**Peter Thaddeus Gallagher**

International Application No.: **PCT/US2004/022313**

Filed: **09 August 2004 (09.08.2004)**

Invention: **PYRIDINYLMORPHOLINE DERIVATIVES**

Lilly Reference: **X-15987**

Earliest Priority Date: **22 August 2003 (22.08.2003)**

**Certificate Under 37 C.F.R. § 1.10**

Attention: DO/EO

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir/Madam:

"Express Mail" mailing label number: EV 393129615 US

Date of Deposit: February 8, 2006

I hereby certify that the following attached paper or fee

Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Queen Thomas

(Typed or printed name of person mailing paper)

Queen Thomas

(Signature of person mailing paper or fee)